

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 1828
OFFERED BY MS. ROS-LEHTINEN

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Syria Accountability
3 and Lebanese Sovereignty Restoration Act of 2003”.

4 SEC. 2. FINDINGS.

5 Congress makes the following findings:

6 (1) On September 20, 2001, President George
7 Bush stated at a joint session of Congress that
8 “[e]very nation, in every region, now has a decision
9 to make . . . [e]ither you are with us, or you are
10 with the terrorists . . . [f]rom this day forward, any
11 nation that continues to harbor or support terrorism
12 will be regarded by the United States as a hostile re-
13 gime”.

14 (2) On June 24, 2002, President Bush stated
15 “Syria must choose the right side in the war on ter-
16 ror by closing terrorist camps and expelling terrorist
17 organizations”.



1 (3) United Nations Security Council Resolution
2 1373 (September 28, 2001) mandates that all states
3 “refrain from providing any form of support, active
4 or passive, to entities or persons involved in terrorist
5 acts”, take “the necessary steps to prevent the com-
6 mission of terrorist acts”, and “deny safe haven to
7 those who finance, plan, support, or commit terrorist
8 acts”.

9 (4) The Government of Syria is currently pro-
10 hibited by United States law from receiving United
11 States assistance because it has repeatedly provided
12 support for acts of international terrorism, as deter-
13 mined by the Secretary of State for purposes of sec-
14 tion 6(j)(1) of the Export Administration Act of
15 1979 (50 U.S.C. App. 2405(j)(1)) and other rel-
16 evant provisions of law.

17 (5) Although the Department of State lists
18 Syria as a state sponsor of terrorism and reports
19 that Syria provides “safe haven and support to sev-
20 eral terrorist groups”, fewer United States sanctions
21 apply with respect to Syria than with respect to any
22 other country that is listed as a state sponsor of ter-
23 rorism.

24 (6) Terrorist groups, including Hizballah,
25 Hamas, Palestinian Islamic Jihad, the Popular



1 Front for the Liberation of Palestine, and the Pop-
2 ular Front for the Liberation of Palestine-General
3 Command, maintain offices, training camps, and
4 other facilities on Syrian territory, and operate in
5 areas of Lebanon occupied by the Syrian armed
6 forces and receive supplies from Iran through Syria.

7 (7) United Nations Security Council Resolution
8 520 (September 17, 1982) calls for “strict respect of
9 the sovereignty, territorial integrity, unity and polit-
10 ical independence of Lebanon under the sole and ex-
11 clusive authority of the Government of Lebanon
12 through the Lebanese Army throughout Lebanon”.

13 (8) Approximately 20,000 Syrian troops and se-
14 curity personnel occupy much of the sovereign terri-
15 tory of Lebanon exerting undue influence upon its
16 government and undermining its political independ-
17 ence.

18 (9) Since 1990 the Senate and House of Rep-
19 resentatives have passed seven bills and resolutions
20 which call for the withdrawal of Syrian armed forces
21 from Lebanon.

22 (10) On March 3, 2003, Secretary of State
23 Colin Powell declared that it is the objective of the
24 United States to “let Lebanon be ruled by the Leba-



1 nese people without the presence of [the Syrian] oc-
2 cupation army”.

3 (11) Large and increasing numbers of the Leb-
4 anese people from across the political spectrum in
5 Lebanon have mounted peaceful and democratic
6 calls for the withdrawal of the Syrian Army from
7 Lebanese soil.

8 (12) Israel has withdrawn all of its armed
9 forces from Lebanon in accordance with United Na-
10 tions Security Council Resolution 425 (March 19,
11 1978), as certified by the United Nations Secretary
12 General.

13 (13) Even in the face of this United Nations
14 certification that acknowledged Israel’s full compli-
15 ance with Security Council Resolution 425, Syrian-
16 and Iranian-sponsored Hizballah continues to attack
17 Israeli outposts at Shebaa Farms, under the false
18 guise that it remains Lebanese land, and Syrian-
19 and Iranian-sponsored Hizballah and other militant
20 organizations continue to attack civilian targets in
21 Israel.

22 (14) Syria will not allow Lebanon—a sovereign
23 country—to fulfill its obligation in accordance with
24 Security Council Resolution 425 to deploy its troops
25 to southern Lebanon.



1 (15) As a result, the Israeli-Lebanese border
2 and much of southern Lebanon is under the control
3 of Hizballah which continues to attack Israeli posi-
4 tions, allows Iranian Revolutionary Guards and
5 other militant groups to operate freely in the area,
6 and maintains thousands of rockets along Israel's
7 northern border, destabilizing the entire region.

8 (16) On February 12, 2003, Director of Central
9 Intelligence George Tenet stated the following with
10 respect to the Syrian- and Iranian-supported
11 Hizballah: "[A]s an organization with capability and
12 worldwide presence [it] is [al Qaeda's] equal if not
13 a far more capable organization . . . [T]hey're a
14 notch above in many respects, in terms of in their
15 relationship with the Iranians and the training they
16 receive, [which] puts them in a state-sponsored cat-
17 egory with a potential for lethality that's quite
18 great."

19 (17) In the State of the Union address on Jan-
20 uary 29, 2002, President Bush declared that the
21 United States will "work closely with our coalition to
22 deny terrorists and their state sponsors the mate-
23 rials, technology, and expertise to make and deliver
24 weapons of mass destruction".



1 (18) The Government of Syria continues to de-
2 velop and deploy short and medium range ballistic
3 missiles.

4 (19) According to the December 2001 unclassi-
5 fied Central Intelligence Agency report entitled
6 “Foreign Missile Developments and the Ballistic
7 Missile Threat through 2015”, “Syria maintains a
8 ballistic missile and rocket force of hundreds of
9 FROG rockets, Scuds, and SS-21 SRBMs [and]
10 Syria has developed [chemical weapons] warheads
11 for its Scuds”.

12 (20) The Government of Syria is pursuing the
13 development and production of biological and chem-
14 ical weapons and has a nuclear research and devel-
15 opment program that is cause for concern.

16 (21) According to the Central Intelligence
17 Agency’s “Unclassified Report to Congress on the
18 Acquisition of Technology Relating to Weapons of
19 Mass Destruction and Advanced Conventional Muni-
20 tions”, released January 7, 2003: “[Syria] already
21 holds a stockpile of the nerve agent sarin but appar-
22 ently is trying to develop more toxic and persistent
23 nerve agents. Syria remains dependent on foreign
24 sources for key elements of its [chemical weapons]
25 program, including precursor chemicals and key pro-



1 duction equipment. It is highly probable that Syria
2 also is developing an offensive [biological weapons]
3 capability.”.

4 (22) On May 6, 2002, Under Secretary of State
5 for Arms Control and International Security, John
6 Bolton, stated: “The United States also knows that
7 Syria has long had a chemical warfare program. It
8 has a stockpile of the nerve agent sarin and is en-
9 gaged in research and development of the more toxic
10 and persistent nerve agent VX. Syria, which has
11 signed but not ratified the [Biological Weapons Con-
12 vention], is pursuing the development of biological
13 weapons and is able to produce at least small
14 amounts of biological warfare agents.”.

15 (23) According to the Central Intelligence
16 Agency’s “Unclassified Report to Congress on the
17 Acquisition of Technology Relating to Weapons of
18 Mass Destruction and Advanced Conventional Muni-
19 tions”, released January 7, 2003: “Russia and Syria
20 have approved a draft cooperative program on co-
21 operation on civil nuclear power. In principal, broad-
22 er access to Russian expertise provides opportunities
23 for Syria to expand its indigenous capabilities,
24 should it decide to pursue nuclear weapons.”.



1 (24) Under the Treaty on the Non-Proliferation
2 of Nuclear Weapons (21 UST 483), which entered
3 force on March 5, 1970, and to which Syria is a
4 party, Syria has undertaken not to acquire or
5 produce nuclear weapons and has accepted full scope
6 safeguards of the International Atomic Energy
7 Agency to detect diversions of nuclear materials
8 from peaceful activities to the production of nuclear
9 weapons or other nuclear explosive devices.

10 (25) Syria is not a party to the Chemical Weap-
11 ons Convention or the Biological Weapons Conven-
12 tion, which entered into force on April 29, 1997, and
13 on March 26, 1975, respectively.

14 (26) Syrian President Bashar Assad promised
15 Secretary of State Powell in February 2001 to end
16 violations of Security Council Resolution 661, which
17 restricted the sale of oil and other commodities by
18 Saddam Hussein's regime, except to the extent au-
19 thorized by other relevant resolutions, but this
20 pledge was never fulfilled.

21 (27) Syria's illegal imports and transshipments
22 of Iraqi oil during Saddam Hussein's regime earned
23 Syria \$50,000,000 or more per month as Syria con-
24 tinued to sell its own Syrian oil at market prices.



1 (28) Syria's illegal imports and transshipments
2 of Iraqi oil earned Saddam Hussein's regime
3 \$2,000,000 per day.

4 (29) The Government of Syria also utilized the
5 railway network linking Mosul, Iraq, to Aleppo,
6 Syria, to transfer a wide range of weaponry and
7 weapon systems to Saddam Hussein's regime.

8 (30) On March 28, 2003, Secretary of Defense
9 Donald Rumsfeld warned: "[W]e have information
10 that shipments of military supplies have been cross-
11 ing the border from Syria into Iraq, including night-
12 vision goggles . . . These deliveries pose a direct
13 threat to the lives of coalition forces. We consider
14 such trafficking as hostile acts, and will hold the
15 Syrian government accountable for such ship-
16 ments."

17 (31) According to Article 23(1) of the United
18 Nations Charter, members of the United Nations are
19 elected as nonpermanent members of the United Na-
20 tions Security Council with "due regard being spe-
21 cially paid, in the first instance to the contribution
22 of members of the United Nations to the mainte-
23 nance of international peace and security and to
24 other purposes of the Organization".



1 (32) Despite Article 23(1) of the United Na-
2 tions Charter, Syria was elected on October 8, 2001,
3 to a 2-year term as a nonpermanent member of the
4 United Nations Security Council beginning January
5 1, 2002, and served as President of the Security
6 Council during June 2002 and August 2003.

7 (33) On March 31, 2003, the Syrian Foreign
8 Minister, Farouq al-Sharra, made the Syrian re-
9 gime's intentions clear when he explicitly stated that
10 "Syria's interest is to see the invaders defeated in
11 Iraq".

12 (34) On April 13, 2003, Secretary of Defense
13 Donald Rumsfeld charged that "busloads" of Syrian
14 fighters entered Iraq with "hundreds of thousands
15 of dollars" and leaflets offering rewards for dead
16 American soldiers.

17 (35) On September 16, 2003, the Undersecre-
18 tary of State for Arms Control and International Se-
19 curity, John Bolton, appeared before the Sub-
20 committee on the Middle East and Central Asia of
21 the Committee on International Relations of the
22 House of Representatives, and underscored Syria's
23 "hostile actions" toward coalition forces during Op-
24 eration Iraqi Freedom. Undersecretary Bolton added
25 that: "Syria allowed military equipment to flow into



1 Iraq on the eve of and during the war. Syria per-
2 mitted volunteers to pass into Iraq to attack and kill
3 our service members during the war, and is still
4 doing so . . . [Syria's] behavior during Operation
5 Iraqi Freedom underscores the importance of taking
6 seriously reports and information on Syria's WMD
7 capabilities.”.

8 (36) During his appearance before the Com-
9 mittee on International Relations of the House of
10 Representatives on September 25, 2003, Amba-
11 sador L. Paul Bremer, III, Presidential Envoy to
12 Iraq, stated that out of the 278 third-country na-
13 tionals who were captured by coalition forces in
14 Iraq, the “single largest group are Syrians”.

15 **SEC. 3. SENSE OF CONGRESS.**

16 It is the sense of Congress that—

17 (1) the Government of Syria should imme-
18 diately and unconditionally halt support for ter-
19 rorism, permanently and openly declare its total re-
20 nunciation of all forms of terrorism, and close all
21 terrorist offices and facilities in Syria, including the
22 offices of Hamas, Hizballah, Palestinian Islamic
23 Jihad, the Popular Front for the Liberation of Pal-
24 estine, and the Popular Front for the Liberation of
25 Palestine—General Command;



1 (2) the Government of Syria should—

2 (A) immediately and unconditionally stop
3 facilitating transit from Syria to Iraq of individ-
4 uals, military equipment, and other lethal items,
5 except as authorized by the Coalition Provi-
6 sional Authority or a representative, inter-
7 nationally recognized Iraqi government;

8 (B) cease its support for “volunteers” and
9 terrorists who are traveling from and through
10 Syria into Iraq to launch attacks; and

11 (C) undertake concrete, verifiable steps to
12 deter such behavior and control the use of terri-
13 tory under Syrian control;

14 (3) the Government of Syria should imme-
15 diately declare its commitment to completely with-
16 draw its armed forces, including military, para-
17 military, and security forces, from Lebanon, and set
18 a firm timetable for such withdrawal;

19 (4) the Government of Lebanon should deploy
20 the Lebanese armed forces to all areas of Lebanon,
21 including South Lebanon, in accordance with United
22 Nations Security Council Resolution 520 (September
23 17, 1982), in order to assert the sovereignty of the
24 Lebanese state over all of its territory, and should
25 evict all terrorist and foreign forces from southern



1 Lebanon, including Hizballah and the Iranian Revo-
2 lutionary Guards;

3 (5) the Government of Syria should halt the de-
4 velopment and deployment of medium- and long-
5 range surface-to-surface missiles and cease the de-
6 velopment and production of biological and chemical
7 weapons;

8 (6) the Governments of Lebanon and Syria
9 should enter into serious unconditional bilateral ne-
10 gotiations with the Government of Israel in order to
11 realize a full and permanent peace;

12 (7) the United States should continue to pro-
13 vide humanitarian and educational assistance to the
14 people of Lebanon only through appropriate private,
15 nongovernmental organizations and appropriate
16 international organizations, until such time as the
17 Government of Lebanon asserts sovereignty and con-
18 trol over all of its territory and borders and achieves
19 full political independence, as called for in United
20 Nations Security Council Resolution 520; and

21 (8) as a violator of several key United Nations
22 Security Council resolutions and pursuing policies
23 which undermine international peace and security,
24 Syria should not have been permitted to join the
25 United Nations Security Council or serve as the Se-



1 curity Council's President, and should be removed
2 from the Security Council.

3 **SEC. 4. STATEMENT OF POLICY.**

4 It is the policy of the United States that—

5 (1) Syria will be held responsible for attacks
6 committed by Hizballah and other terrorist groups
7 with offices, training camps, or other facilities in
8 Syria, or bases in areas of Lebanon occupied by
9 Syria;

10 (2) the United States shall impede Syria's abil-
11 ity to support acts of international terrorism and ef-
12 forts to develop or acquire weapons of mass destruc-
13 tion;

14 (3) the Secretary of State will continue to list
15 Syria as a state sponsor of terrorism until Syria
16 ends its support for terrorism, including its support
17 of Hizballah and other terrorist groups in Lebanon
18 and its hosting of terrorist groups in Damascus, and
19 comes into full compliance with United States law
20 relating to terrorism and United Nations Security
21 Council Resolution 1373 (September 28, 2001);

22 (4) efforts against Hizballah will be expanded
23 given the recognition that Hizballah is equally or
24 more capable than al Qaeda;



1 (5) the full restoration of Lebanon's sov-
2 ereignty, political independence, and territorial in-
3 tegrity is in the national security interest of the
4 United States;

5 (6) Syria is in violation of United Nations Se-
6 curity Council Resolution 520 (September 17, 1982)
7 through its continued occupation of Lebanese terri-
8 tory and its encroachment upon its political inde-
9 pendence;

10 (7) Syria's obligation to withdraw from Leb-
11 anon is not conditioned upon progress in the Israeli-
12 Syrian or Israeli-Lebanese peace process but derives
13 from Syria's obligation under Security Council Reso-
14 lution 520;

15 (8) Syria's acquisition of weapons of mass de-
16 struction and ballistic missile programs threaten the
17 security of the Middle East and the national security
18 interests of the United States;

19 (9) Syria will be held accountable for any harm
20 to Coalition armed forces or to any United States
21 citizen in Iraq due to its facilitation of terrorist ac-
22 tivities and its shipments of military supplies to
23 Iraq; and

24 (10) the United States will not provide any as-
25 sistance to Syria and will oppose multilateral assist-



1 ance for Syria until Syria ends all support for ter-
2 rorism, withdraws its armed forces from Lebanon,
3 and halts the development and deployment of weap-
4 ons of mass destruction and medium and long range
5 surface to surface ballistic missiles.

6 **SEC. 5. PENALTIES AND AUTHORIZATION.**

7 (a) PENALTIES.—Until the President makes the de-
8 termination that Syria meets all the requirements de-
9 scribed in paragraphs (1) through (4) of subsection (d)
10 and certifies such determination to Congress in accord-
11 ance with such subsection—

12 (1) the President shall prohibit the export to
13 Syria of any item, including the issuance of a license
14 for the export of any item, on the United States Mu-
15 nitions List or Commerce Control List of dual-use
16 items in the Export Administration Regulations (15
17 C.F.R. part 730 et seq.); and

18 (2) the President shall impose two or more of
19 the following sanctions:

20 (A) Prohibit the export of products of the
21 United States (other than food and medicine)
22 to Syria.

23 (B) Prohibit United States businesses from
24 investing or operating in Syria.



1 (C) Restrict Syrian diplomats in Wash-
2 ington, D.C., and at the United Nations in New
3 York City, to travel only within a 25-mile ra-
4 dius of Washington, D.C., or the United Na-
5 tions headquarters building, respectively.

6 (D) Prohibit aircraft of any air carrier
7 owned or controlled by Syria to take off from,
8 land in, or overfly the United States.

9 (E) Reduce United States diplomatic con-
10 tacts with Syria (other than those contacts re-
11 quired to protect United States interests or
12 carry out the purposes of this Act).

13 (F) Block transactions in any property in
14 which the Government of Syria has any inter-
15 est, by any person, or with respect to any prop-
16 erty, subject to the jurisdiction of the United
17 States.

18 (b) WAIVER.—The President may waive the applica-
19 tion of paragraph (2) of subsection (a) for one or more
20 6-month periods if the President determines that it is in
21 the vital national security interest of the United States
22 to do so and transmits to Congress a report that contains
23 the reasons therefor.

24 (c) AUTHORITY TO PROVIDE ASSISTANCE TO
25 SYRIA.—If the President—



1 (1) makes the determination that Syria meets
2 the requirements described in paragraphs (1)
3 through (4) of subsection (d) and certifies such de-
4 termination to Congress in accordance with such
5 subsection;

6 (2) determines that substantial progress has
7 been made both in negotiations aimed at achieving
8 a peace agreement between Israel and Syria and in
9 negotiations aimed at achieving a peace agreement
10 between Israel and Lebanon; and

11 (3) determines that the Government of Syria is
12 strictly respecting the sovereignty, territorial integ-
13 rity, unity, and political independence of Lebanon
14 under the sole and exclusive authority of the Govern-
15 ment of Lebanon through the Lebanese army
16 throughout Lebanon, as required under paragraph
17 (4) of United Nations Security Council Resolution
18 520 (1982),

19 then the President is authorized to provide assistance to
20 Syria under chapter 1 of Part I of the Foreign Assistance
21 Act of 1961 (relating to development assistance).

22 (d) CERTIFICATION.—A certification under this sub-
23 section is a certification transmitted to the appropriate
24 congressional committees of a determination made by the
25 President that—



1 (1) the Government of Syria has ceased pro-
2 viding support for international terrorist groups and
3 does not allow terrorist groups, such as Hamas,
4 Hizballah, Palestinian Islamic Jihad, the Popular
5 Front for the Liberation of Palestine, and the Pop-
6 ular Front for the Liberation of Palestine—General
7 Command to maintain facilities in territory under
8 Syrian control;

9 (2) the Government of Syria has withdrawn all
10 Syrian military, intelligence, and other security per-
11 sonnel from Lebanon;

12 (3) the Government of Syria has ceased the de-
13 velopment and deployment of medium- and long-
14 range surface-to-surface ballistic missiles, is not pur-
15 suing or engaged in the research, development, ac-
16 quisition, production, transfer, or deployment of bio-
17 logical, chemical, or nuclear weapons, has provided
18 credible assurances that such behavior will not be
19 undertaken in the future, and has agreed to allow
20 United Nations and other international observers to
21 verify such actions and assurances; and

22 (4) the Government of Syria has ceased all sup-
23 port for, and facilitation of, all terrorist activities in-
24 side of Iraq, including preventing the use of territory
25 under its control by any means whatsoever to sup-



1 port those engaged in terrorist activities inside of
2 Iraq.

3 **SEC. 6. REPORT.**

4 (a) REPORT.—Not later than 6 months after the date
5 of the enactment of this Act, and every 12 months there-
6 after until the conditions described in paragraphs (1)
7 through (4) of section 5(d) are satisfied, the Secretary of
8 State shall submit to the appropriate congressional com-
9 mittees a report on—

10 (1) Syria's progress toward meeting the condi-
11 tions described in paragraphs (1) through (4) of sec-
12 tion 5(d);

13 (2) connections, if any, between individual ter-
14 rorists and terrorist groups which maintain offices,
15 training camps, or other facilities on Syrian terri-
16 tory, or operate in areas of Lebanon occupied by the
17 Syrian armed forces, and the attacks against the
18 United States that occurred on September 11, 2001,
19 and other terrorist attacks on the United States or
20 its citizens, installations, or allies; and

21 (3) how the United States is increasing its ef-
22 forts against Hizballah given the recognition that
23 Hizballah is equally or more capable than al Qaeda.



1 (b) FORM.—The report submitted under subsection
2 (a) shall be in unclassified form but may include a classi-
3 fied annex.

4 **SEC. 7. DEFINITION OF APPROPRIATE CONGRESSIONAL**
5 **COMMITTEES.**

6 In this Act, the term “appropriate congressional com-
7 mittees” means the Committee on International Relations
8 of the House of Representatives and the Committee on
9 Foreign Relations of the Senate.

10

Amend the title so as to read: “A bill to halt Syrian support for terrorism, end its occupation of Lebanon, and stop its development of weapons of mass destruction, and by so doing hold Syria accountable for the serious international security problems it has caused in the Middle East, and for other purposes.”

